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SEP 11 2003

Special Program Unit
Group 2700

FACSIMILE TRANSMITTAL SHEET

TO:	Ms. Krista M. Zele	FROM:	Jeffrey C. Wilk
COMPANY:	United States Patent & Trademark Office	DATE:	9/11/2003
FAX NUMBER:	(703) 746-5919	TOTAL NO. OF PAGES INCLUDING COVER:	40
PHONE NUMBER:	(703) 305-4701	SENDER'S REFERENCE NUMBER:	CX97002USR
RE:	Method and Apparatus for Training Linear Equalizers in a PCM Modem	YOUR REFERENCE NUMBER:	09/849,501

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Ms. Zele:

Per our telephone conversation yesterday morning, I'm faxing a copy of the Reconsideration of the Holding of Abandonment our office both mailed and faxed to the USPTO on June 17, 2003, together with the related Auto-Reply Facsimile Transmission from the USPTO. The following is a brief summary of the status of this case:

The patent application was filed on May 4, 2001. On December 12, 2002, we mailed a Response to a non-final Office Action mailed September 4, 2002. Included with the Response was an Extension of Time Request under 37 CFR § 1.17(a)(1), with a check in the amount of \$110.00 for the extension fee (which check was cashed by the USPTO on December 26, 2002).

On May 27, 2003, the USPTO mailed a Notice of Abandonment, indicating that no reply to the Office Action had been received by the USPTO. On June 17, 2003, we responded to the Notice of Abandonment by mailing and faxing to the USPTO the attached Reconsideration of the Holding of Abandonment.

I've also included a list of the documents being sent in this fax. Thank you for your assistance in getting this matter resolved.

Certificate of Transmission I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 746-5919 on September 11, 2003. <i>Jeffrey C. Wilk</i> Jeffrey C. Wilk
--

Respectfully submitted,

Jeffrey C. Wilk
Jeffrey C. Wilk
USPTO Reg. No. 42,227

THE ECLIPSE GROUP
26895 ALISO CREEK ROAD, SUITE B-104, ALISO VIEJO, CA 92656

PATENT
Docket No. CX97002USR (97RSS022)
09/849,501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Bjarnason et al.

OLD DOCKET NO.: 09785980-0095
97RSS022

NEW DOCKET NO.: CX97002USR

SERIAL NO.: 09/849,501

GROUP ART UNIT: 2631

DATE FILED: May 4, 2001

EXAMINER: Emmanuel Bayard

INVENTION: "METHOD AND APPARATUS FOR TRAINING LINEAR
EQUALIZERS IN A PCM MODEM"

Special Program Unit
Group 2700

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LIST OF DOCUMENTS RE:
RECONSIDERATION OF NOTICE OF ABANDONMENT

1. Auto-Reply Facsimile Transmission from USPTO dated June 18, 2003;
2. Copy of received self-addressed postcard sent from the USPTO on the Reconsideration of the Holding of Abandonment mailed June 17, 2003;
3. Certificate of Transmission under 37 CFR 1.8(A).
4. Reconsideration of the Holding of Abandonment (2 pages);
5. Copy of received self-addressed postcard sent from the USPTO on the Response to the Office Action mailed on December 12, 2002 (1 page);
6. Copy of filed Fee Sheet mailed on December 12, 2002 (1 page);
7. Copy of filed Transmittal Form for the Response to Office Action (1 page);
8. Copy of filed Check No. 1603 in the amount of \$110.00 for a one-month extension of time;
9. Copy of filed One-month Extension of Time (1 page);
10. Copy of filed Response to the Office Action mailed on December 12, 2002 (pp. 2-27); and
11. Notice of Abandonment mailed on May 27, 2003 (2 pages).

Respectfully submitted,
Bjarnason et al.

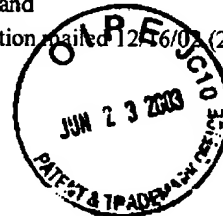
By: Jeffrey C. Wilk, Reg. 42,227
Jeffrey C. Wilk
Phone: (949) 448-4910
Fax: (714) 948-8903

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Special Program Unit
Group 2700

Client Name: Conexant Systems, Inc.
Client & Matter Number: CX97002USR
Title: Method and Apparatus For Training Linear Equalizers In A PCM Modem

Please acknowledge receipt of the following:

1. Reconsideration of the Holding Of Abandonment (2 pages);
 2. Copy of received self-addressed postcard sent from the USPTO on the Response to the Office Action mailed 12/12/2002 (1 page);
 3. Copy of filed Fee Sheet mailed on 12/12/2002 (1 page);
 4. Copy of filed transmittal Form for the Response to the Office Action (1 page);
 5. Copy of filed check 1063 in the amount of \$110.00 for a one-month extension of time (1 page);
 6. Copy of filed One-month Extension of Time (1 page); and
 7. Copy of filed Office Action Response to the Office Action mailed 12/16/02 (27 pages).
 8. Certificate of Mailing (1 page)
- Mailed: June 17, 2003



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Special Program Unit
Group 2700

PATENT
97RSS022
CX97002USR
09/849,501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Elias Bjarnason OLD DOCKET NO.: 09785980-0095-97RSS022
NEW DOCKET NO.: CX97002USR
SERIAL NO.: 09/849,501 GROUP ART UNIT: 2631
DATE FILED: May 04, 2001 EXAMINER: Bayard, Emmanuel
INVENTION: "METHOD AND APPARATUS FOR TRAINING LINEAR
EQUALIZERS IN A PCM MODEM"

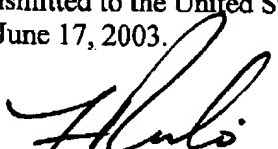
June 17, 2002

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(A)

I, Francisco A. Rubio-Campos, certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 305 - 9508 on June 17, 2003.


Francisco A. Rubio-Campos

6/17/03
Date

PATENT
97RSS022
CX97002USR
09/849,501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Elias Bjarnason OLD DOCKET NO.: 09785980-0095-97RSS022
NEW DOCKET NO.: CX97002USR
SERIAL NO.: 09/849,501 GROUP ART UNIT: 8697
DATE FILED: May 04, 2001 EXAMINER: Bayard, Emmanuel
INVENTION: "METHOD AND APPARATUS FOR TRAINING LINEAR
EQUALIZERS IN A PCM MODEM"

June 17, 2003

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RECONSIDERATION OF THE HOLDING OF ABANDONMENT

The present amendment responds to the Notice of Abandonment mailed on May 27, 2003. Claims 1-29 are currently pending in the present application. Applicants respectfully request that the Examiner please reconsider the holding of abandonment on the present application because Applicants believe that the mailed Notice of Abandonment was improper on the basis that there was no abandonment in fact.

In support of Applicants' position, Applicants are faxing and mailing (via first-class mail) to the Examiner a copy, of the herein attached documents, of the previously filed Response to the Office Action mailed September 4, 2002 along with a copy of the received self-addressed postcard from the United States Patent and Trademark Office (the "USPTO"). The Response to the Office Action was timely filed on December 12, 2002 with a certificate of mailing and a one-month extension of time request under 37 CFR 1.17(a)(1) plus the corresponding one-month extension fee. The received self-addressed postcard is stamped as received by the USPTO on December 18, 2002 and shows that the response to the Office Action was mailed by Applicants on December 12, 2002 with a check (check number 1063) in the amount of \$110.00 for the one-month extension of time. The check was cashed by the USPTO on December 26, 2002.

97RSS022

1

PATENT
97RSS022
CX97002USR
09/849,501

Therefore, Applicants respectfully submit that there was no abandonment in fact because the Response to the September 4, 2002 mailed Office Action was properly responded to and filed by Applicants. As a result, Applicants respectfully request that the Examiner please withdraw the improper Notice of Abandonment and please reconsider the identified present application in view of the Response to the Office Action. Applicants believe that no new matter has been added by this amendment.

Respectfully submitted,
Elias Bjarnason

By: , Reg. 45,358

Francisco A. Rubio-Campos

Phone: (949) 448-4910

Fax: (714) 948-8903

The Eclipse Group
26895 Aliso Creek Road
Suite B-104
Aliso Viejo, CA 92656-5301

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Client Name: Conexant Systems, Inc.

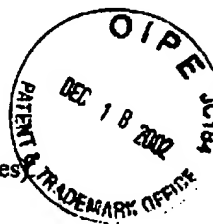
Client & Matter Number: CX97002USR

**Title: METHOD AND APPARATUS FOR TRAINING LINEAR EQUALIZERS IN A PCM
MODEM**

Serial# 09/849,501 Filing Date: May 4, 2001

Please acknowledge receipt of:

8. Return addressed postcard with postage.
9. Certificate of Mailing (1 page).
10. Transmittal Sheet (1 page).
11. Fee Calculation Sheet (1 page).
12. Response to Office Action dated 09/04/02 (27 pages)
13. Check #1063 in the amount of \$110.00.
14. Extension of Time request (1 page).



Mailed: December 12, 2002

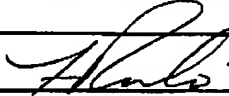
PTO/SB/21 (08-00)

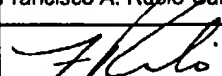
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/849,501	
	Filing Date	05/04/2001	
	First Named Inventor	Elias Bjarnason	
	Group Art Unit	8697	
	Examiner Name	Bayard, Emmanuel	
Total Number of Pages in This Submission	33	Attorney Docket Number	09785980-0095-97RSS022

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Francisco A. Rubio-Campos, USPTO Reg. 45,358
Signature	
Date	12/12/2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: December 12, 2002			
Typed or printed name	Francisco A. Rubio-Campos		
Signature		Date	12/12/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

From Francisco Rubio

Via Email Pg 11/40 09-11-03 01:55 PM

FRANCISCO A. RUBIO
8 PLATEAU
ALISO VIEJO, CA 92656

80-7172/395
3222
04001386515
Date Dec 13, 2002

1063

Pay to the order of

Pay to the order of Heartbeat Commission for Roberts \$ 110.00
One hundred and ten Dollars ☒ cents
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THE CITIBANK PRIVATE BANK
CITIBANK, F.S.B.
787 W. 5TH ST., 28TH FLOOR
LOS ANGELES, CA 90071
Memo / *month Est for 09/20/15?*

Memo / month Est for C9902 USR

040013853515" 1063

PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT		(\$) 110.00
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Complete if Known	
Application Number	09/849,501
Filing Date	05/04/2001
First Named Inventor	Elias Bjarnason
Examiner Name	Bayard, Emmanuel
Group Art Unit	8697
Attorney Docket No.	09785980-0095-97RSS022

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																																																												
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: _____</p> <p>Deposit Account Name: _____</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%;"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105 130 205 65</td><td></td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127 50 227 25</td><td></td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139 130 139 130</td><td></td><td>Non-English specification</td><td></td></tr><tr><td>147 2,520 147 2,520</td><td></td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112 920* 112 920*</td><td></td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113 1,840* 113 1,840*</td><td></td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115 110 215 55</td><td></td><td>Extension for reply within first month</td><td>110.00</td></tr><tr><td>116 400 216 200</td><td></td><td>Extension for reply within second month</td><td></td></tr><tr><td>117 920 217 460</td><td></td><td>Extension for reply within third month</td><td></td></tr><tr><td>118 1,440 218 720</td><td></td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128 1,980 228 980</td><td></td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119 320 219 160</td><td></td><td>Notice of Appeal</td><td></td></tr><tr><td>120 320 220 160</td><td></td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121 280 221 140</td><td></td><td>Request for oral hearing</td><td></td></tr><tr><td>138 1,510 138 1,510</td><td></td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140 110 240 55</td><td></td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141 1,280 241 640</td><td></td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142 1,260 242 630</td><td></td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143 460 243 230</td><td></td><td>Design issue fee</td><td></td></tr><tr><td>144 620 244 310</td><td></td><td>Plant issue fee</td><td></td></tr><tr><td>122 130 122 130</td><td></td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123 50 123 50</td><td></td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>126 180 126 180</td><td></td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581 40 581 40</td><td></td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146 740 246 370</td><td></td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149 740 249 370</td><td></td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179 740 279 370</td><td></td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169 900 169 900</td><td></td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="3">Other fee (specify): _____</td><td></td></tr><tr><td colspan="3">SUBTOTAL (1) (\$)</td><td>0.00</td></tr></tbody></table> <p>2. EXTRA CLAIM FEES</p> <table border="1" style="width: 100%;"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101 740 201 370</td><td></td><td>Utility filing fee</td><td></td></tr><tr><td>106 330 206 165</td><td></td><td>Design filing fee</td><td></td></tr><tr><td>107 510 207 255</td><td></td><td>Plant filing fee</td><td></td></tr><tr><td>108 740 208 370</td><td></td><td>Reissue filing fee</td><td></td></tr><tr><td>114 160 214 80</td><td></td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="3">SUBTOTAL (1) (\$)</td><td>0.00</td></tr></tbody></table> <p>1. 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SUBTOTAL (4) (\$)</p> <p>110.00</p> <p><small>**or number previously paid, if greater; For Reissues, see above</small></p> <p><small>*Reduced by Basic Filing Fee Paid</small></p>	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130 205 65		Surcharge - late filing fee or oath		127 50 227 25		Surcharge - late provisional filing fee or cover sheet		139 130 139 130		Non-English specification		147 2,520 147 2,520		For filing a request for <i>ex parte</i> reexamination		112 920* 112 920*		Requesting publication of SIR prior to Examiner action		113 1,840* 113 1,840*		Requesting publication of SIR after Examiner action		115 110 215 55		Extension for reply within first month	110.00	116 400 216 200		Extension for reply within second month		117 920 217 460		Extension for reply within third month		118 1,440 218 720		Extension for reply within fourth month		128 1,980 228 980		Extension for reply within fifth month		119 320 219 160		Notice of Appeal		120 320 220 160		Filing a brief in support of an appeal		121 280 221 140		Request for oral hearing		138 1,510 138 1,510		Petition to institute a public use proceeding		140 110 240 55		Petition to revive - unavoidable		141 1,280 241 640		Petition to revive - unintentional		142 1,260 242 630		Utility issue fee (or reissue)		143 460 243 230		Design issue fee		144 620 244 310		Plant issue fee		122 130 122 130		Petitions to the Commissioner		123 50 123 50		Processing fee under 37 CFR 1.17(q)		126 180 126 180		Submission of Information Disclosure Stmt		581 40 581 40		Recording each patent assignment per property (times number of properties)		146 740 246 370		Filing a submission after final rejection (37 CFR § 1.129(a))		149 740 249 370		For each additional invention to be examined (37 CFR § 1.129(b))		179 740 279 370		Request for Continued Examination (RCE)		169 900 169 900		Request for expedited examination of a design application		Other fee (specify): _____				SUBTOTAL (1) (\$)			0.00	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	101 740 201 370		Utility filing fee		106 330 206 165		Design filing fee		107 510 207 255		Plant filing fee		108 740 208 370		Reissue filing fee		114 160 214 80		Provisional filing fee		SUBTOTAL (1) (\$)			0.00	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	101 740 201 370		Utility filing fee		106 330 206 165		Design filing fee		107 510 207 255		Plant filing fee		108 740 208 370		Reissue filing fee		114 160 214 80		Provisional filing fee		SUBTOTAL (1) (\$)			0.00	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	103 18 203 9		Claims in excess of 20		102 84 202 42		Independent claims in excess of 3		104 280 204 140		Multiple dependent claim, if not paid		109 84 209 42		** Reissue independent claims over original patent		110 18 210 9		** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$)			0.00	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130 205 65		Surcharge - late filing fee or oath		127 50 227 25		Surcharge - late provisional filing fee or cover sheet		139 130 139 130		Non-English specification		147 2,520 147 2,520		For filing a request for <i>ex parte</i> reexamination		112 920* 112 920*		Requesting publication of SIR prior to Examiner action		113 1,840* 113 1,840*		Requesting publication of SIR after Examiner action		115 110 215 55		Extension for reply within first month	110.00	116 400 216 200		Extension for reply within second month		117 920 217 460		Extension for reply within third month		118 1,440 218 720		Extension for reply within fourth month		128 1,980 228 980		Extension for reply within fifth month		119 320 219 160		Notice of Appeal		120 320 220 160		Filing a brief in support of an appeal		121 280 221 140		Request for oral hearing		138 1,510 138 1,510		Petition to institute a public use proceeding		140 110 240 55		Petition to revive - unavoidable		141 1,280 241 640		Petition to revive - unintentional		142 1,260 242 630		Utility issue fee (or reissue)		143 460 243 230		Design issue fee		144 620 244 310		Plant issue fee		122 130 122 130		Petitions to the Commissioner		123 50 123 50		Processing fee under 37 CFR 1.17(q)		126 180 126 180		Submission of Information Disclosure Stmt		581 40 581 40		Recording each patent assignment per property (times number of properties)		146 740 246 370		Filing a submission after final rejection (37 CFR § 1.129(a))		149 740 249 370		For each additional invention to be examined (37 CFR § 1.129(b))		179 740 279 370		Request for Continued Examination (RCE)		169 900 169 900		Request for expedited examination of a design application		Other fee (specify): _____				SUBTOTAL (3) (\$)			110.00
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Francisco A. Rubio-Campos	Registration No. (Attorney/Agent)	45,358
Signature		Telephone	(949) 448-9410
		Date	12/12/2002

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MELVIN K. SILVERMAN & ASSOC, P.C.
REG. PATENT ATTORNEY

FACSIMILE TRANSMITTAL SHEET

TO:

Examiner Zele

FROM:

Yi Li

COMPANY:

U.S. PATENT AND TRADEMARK
OFFICE

DATE: 9/11/03

COMPANY:

MELVIN K. SILVERMAN & ASSOCS., PC.

FAX NUMBER:

(703) 746-5919

FAX NUMBER

(954) 492-0087

PHONE NUMBER:

PHONE NUMBER

RE: SERIAL NO. 10/002,382

YOUR REFERENCE NUMBER:

Louis I Memran

NUMBER OF PAGES (including cover)

2

☐ URGENT

☐ FOR REVIEW

☐ PLEASE COMMENT

☒ PLEASE REPLY

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NOTES/COMMENTS:

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JUN. 4. 2003 5:38PM

SOMMENSCHN

NO. 2846 P. 4



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,501	05/04/2001	Elias Bjarnason	09785980-0095-97R5S022	8697

7590 05/27/2003

Francisco Rubio-Campos Esq
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601 S Figueroa Street
Suite 1500
Los Angeles, CA 90017

EXAMINER

BAYARD, EMMANUEL

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

JUN. 4. 2003 5:38PM

SCHWENSCHEIN

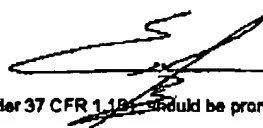
NO. 2846 P. 5

Notice of Abandonment	Application No.	Applicant(s)	
	09/849,501	BJARNASON ET AL.	
	Examiner	Art Unit	
	Emmanuel Bayard	2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 04 September 2002.
 - ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
☐ The issue fee and publication fee, if applicable, has not been received.
 - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:



Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.18, should be promptly filed to minimize any negative effects on patent term.